

118TH CONGRESS  
1ST SESSION

# H. R. 1531

To provide for the renewed availability of funds to construct the border wall upon the deployment of the National Guard to the southern land border of the United States, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2023

Mr. STRONG introduced the following bill; which was referred to the Committee on Homeland Security

---

## A BILL

To provide for the renewed availability of funds to construct the border wall upon the deployment of the National Guard to the southern land border of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. RESUME CONSTRUCTION OF BARRIERS AND**  
4 **ROADS ALONG UNITED STATES AND MEXICO**  
5 **BORDER.**

6 (a) DEFINITIONS.—In this section:

7 (1) DEPARTMENT.—The term “Department”  
8 means the Department of Homeland Security.

1           (2) PHYSICAL BARRIERS.—The term “physical  
2           barriers” has the meaning given such term in sec-  
3           tion 102(e) of the Illegal Immigration Reform and  
4           Immigrant Responsibility Act of 1996, as added by  
5           section 3(5) of this Act.

6           (3) SECRETARY.—The term “Secretary” means  
7           the Secretary of Homeland Security.

8           (4) TACTICAL INFRASTRUCTURE; TECH-  
9           NOLOGY.—The terms “tactical infrastructure” and  
10          “technology” have the meanings given such terms in  
11          section 102(e) of the Illegal Immigration Reform  
12          and Immigrant Responsibility Act of 1996, as added  
13          by section 3(5) of this Act.

14          (b) IN GENERAL.—

15               (1) IMMEDIATE RESUMPTION OF BORDER BAR-  
16               RIER CONSTRUCTION.—During any period beginning  
17               on or after the date of the enactment of this Act in  
18               which members of the Armed Forces or the National  
19               Guard are performing active service (as such term is  
20               defined in section 101 of title 10, United States  
21               Code) at the southern land border of the United  
22               States, the Secretary shall resume all projects relat-  
23               ing to the construction of physical barriers, tactical  
24               infrastructure, and technology along the inter-  
25               national border between the United States and Mex-

1       ico that were underway, or being planned for, prior  
2       to January 20, 2021.

3           (2) NO CANCELLATIONS.—The Secretary may  
4       not cancel any contract for activities related to the  
5       construction of the border barrier system that was  
6       entered into on or before January 20, 2021.

7           (3) USE OF FUNDS.—To carry out this section,  
8       the Secretary shall expend all funds that were ap-  
9       propriated or explicitly obligated for the construction  
10      of the border barrier system on or after October 1,  
11      2016.

12      (c) UPHOLD NEGOTIATED AGREEMENTS.—The Sec-  
13      retary shall ensure that all agreements relating to current  
14      and future construction of the border barrier system en-  
15      tered into before January 20, 2021, that were executed  
16      in writing between the Department and any State, local,  
17      or Tribal government, private citizen, or other stakeholder,  
18      and to which the applicable non-Federal parties consent  
19      to revive in whole or in part, are honored by the Depart-  
20      ment in accordance with such agreements and to the ex-  
21      tent provided by such consent.

22      (d) AVAILABILITY OF FUNDS.—

23           (1) IN GENERAL.—Notwithstanding any other  
24      provision of law, any amount appropriated or other-  
25      wise made available during fiscal year 2018, 2019,

1 2020, or 2021 for any project relating to the con-  
2 struction of physical barriers, tactical infrastructure,  
3 and technology along the southern border shall re-  
4 main available until expended.

5 (2) AUTHORIZATION.—In addition to amounts  
6 described in paragraph (1), there is authorized to be  
7 made available to carry out this Act the unobligated  
8 balances of any amount appropriated or otherwise  
9 made available during fiscal year 2022 and each  
10 year thereafter for projects described in such para-  
11 graph (1). Amounts so authorized shall be author-  
12 ized to remain available until expended.

13 (e) USE OF FUNDS.—Any amounts appropriated or  
14 otherwise made available for fiscal year 2021 that remain  
15 available pursuant to subsection (d) may only be used for  
16 barriers, technology, or roads that—

17 (1) use—

18 (A) operationally effective designs deployed  
19 as of the date of enactment of the Consolidated  
20 Appropriations Act, 2017 (Public Law 115–31),  
21 such as currently deployed steel bollard designs,  
22 that prioritize agent safety; or

23 (B) operationally effective adaptations of  
24 such designs that help mitigate community or  
25 environmental impacts of barrier system con-

1 construction, including adaptations based on con-  
2 sultation with jurisdictions within which barrier  
3 system will be constructed; and

4 (2) are constructed in the highest priority loca-  
5 tions as identified in the Border Security Improve-  
6 ment Plan.

○